

Appl. No. : 9/230,001
Filed : May 18, 1999

for a "sealing screw". Thus, Claim 9 has been amended to be dependent on Claim 8 which does contain antecedent basis for a "sealing screw".

Rejection under 35 U.S.C. §112, first paragraph

The Examiner has rejected Claims 1-12 and 16-21 under 35 U.S.C. §112, first paragraph as containing subject matter which is not enabled. More specifically, the Examiner believes that the limitation in claims 1 and 16 for "a volume of about 10 to about 50 liters of fluid is present between the inner and outer wall" does not find proper support in the Specification. However, the Claims have been amended to read "wherein the inner boiler has a volume of from about 10 to about 50 liters". Support for this language can be found in the Specification on page 1, lines 9 and 10. Thus, Applicants believe the claims as amended are enabled.

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Rejection under 35 U.S.C. §102(b) -

The Examiner has rejected Claims 1-6 and 12 as being anticipated by Kalasek. The Examiner believes that Kalasek teaches a double-walled boiler sterilization apparatus having computer controlled, timed actuation, with a fluid reservoir. However, amended Claim 1 specifies: "whereby a volume of about 10 to about 50 liters of fluid is present between the inner and the outer wall". Thus, the presently claimed invention is a relatively small, easy to handle, compact and movable sterilization unit which is integrated with a control unit. This type of unit would typically be used by Dentists and Field medics for sterilization of smaller objects.

At the time of the invention of Kalasek et al, autoclaves and other sterilization units were very large and typically built into a lab. Downsizing of these apparatuses was not really possible until the necessary technical advances were made. Thus, Kalesek et al. could not have anticipated the compact sterilisation apparatus, because such a thing was not possible at the time of the invention of Kalesek et al.

In addition, New Claims 16-21 are drawn to a sterilisation apparatus with a cylindrical sterilisation boiler. Thus, these claims are novel because Kalesek does not teach a cylindrical sterilisation boiler.

Rejection under 35 U.S.C. §103(a) -

The Examiner has rejected Claims 10-11 and 14-15 as being obvious in view of Kalasek. The Examiner believes that Kalasek teaches a double-walled boiler sterilization apparatus having a square or rectangular shape.

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However, the presently claimed invention is a compact sterilisation apparatus which would not have been possible at the time of the Kalesek et al invention. Thus, Kalasek et al does not teach all of the claimed elements. In addition, Kalasek et al does not teach or suggest a compact sterilisation apparatus and, since it would have been impossible at the time (1979), Kalasek could not render the presently claimed invention obvious.

The Examiner has rejected Claims 7-8 and 13 as being unpatentable in view of Kalasek and further in view of Brucker WO 92/01479. The Examiner believes that Brucker teaches the used of lateral supports within a boiler sterilizer for support of articles to be steilized as well as a hinged, sealing door.

However, the presently claimed invention is a compact sterilisation apparatus which would not have been possible at the time of the Kalesek et al invention. Thus, Kalasek et al does not teach all of the claimed elements. In addition, Kalasek et al does not teach or suggest a compact sterilisation apparatus and, since it would have been impossible at the time (1979), Kalasek could not render the presently claimed invention obvious.

Conclusion

For the reasons set forth above, it is respectfully submitted that Applicants' claims as amended should be passed to allowance. Should there be any questions regarding the above-identified patent application, the Examiner is respectfully requested to contact the undersigned agent at the telephone number below. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

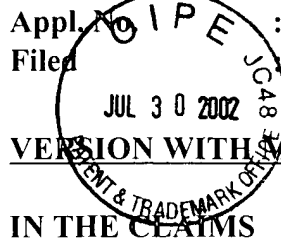
Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE
IN THE CLAIMS**

1. **(Twice Amended)** A compact sterilisation apparatus for medical instruments and the like which is easy to operate, handle and transport, said apparatus comprising a casing provided with a double-walled sterilisation boiler having an inner wall and an outer wall, whereby **[a volume of about 10 to about 50 liters of]** fluid is present between the inner and the outer wall such that a stable temperature of the inner wall can be achieved as well as steam generated therefrom, wherein the inner boiler has a volume of from about 10 to about 50 liters.

9. **(Twice Amended)** The apparatus according to claim [1] wherein said sealing screw is operated by means of an electromotor of which the operating phases are operated by said process computer.

16. **(Amended)** A compact sterilisation apparatus for medical instruments and the like which is easy to operate, handle and transport, said apparatus comprising:

a casing provided with a double-walled sterilisation boiler having an inner wall and an outer wall, whereby **[a volume of about 10 to about 50 liters of]** fluid is present between the inner and the outer wall such that a stable temperature of the inner wall can be achieved as well as steam generated therefrom, wherein said double-walled boiler comprises a cylindrical boiler placed within a cylindrical outer boiler, wherein the inner boiler has a volume of from about 10 to about 50 liters.

New Claims

22. **(New)** A sterilization apparatus for medical instruments and the like objects which are easy to handle and/or remove, consisting of:

a casing with a sterilization chamber comprising a double-walled boiler whereby fluid is present between the inner and the outer wall of said boiler;

regulators and heating elements for performing the sterilization process by means of which temperature and steam generated therefrom are controlled, wherein said casing comprises a cylindrical horizontally arranged boiler wherein said cylindrical inner boiler has a volume of 10 to 50 liters and is horizontally placed and wherein said fluid partially fills a cylindrical space between said boilers, and wherein during the sterilization process the upper cylindrical space is filled with steam pulsatingly into said inner boiler.